

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: SUSAN KOSTALAS : CHAPTER 13
Debtor(s) :
CHARLES J. DEHART, III :
STANDING CHAPTER 13 TRUSTEE :
vs. :
SUSAN KOSTALAS :
Respondent(s) : CASE NO. 1-16-bk-02460

TRUSTEE'S OBJECTION TO CHAPTER 13 PLAN

AND NOW, this 14th day of July, 2016, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)' plan for the following reason(s):

1. Debtor(s)' plan violates 11 U.S.C. Sec. 1322(a)(1) in that the debtor(s) has not submitted all or such portion of the disposable income to the Trustee as required.
2. Debtor(s)' plan violates 11 U.S.C. Sec. 1325(a)(4) in that the value of property to be distributed under the plan on account of each allowed unsecured claim is less than the amount that would be paid on such claim if the estate were liquidated under Chapter 7.
3. The Trustee avers that debtor(s)' plan is not feasible based upon the following:
 - a. The plan is underfunded relative to claims to be paid.
 - b. The plan is underfunded relative to claims to be paid – 100% plan.
4. Trustee avers that debtor(s)' plan is not feasible and cannot be administered due to the lack of the following:
 - a. 2015 Federal Income Tax return.

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

/s/Charles J. DeHart, III
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036

CERTIFICATE OF SERVICE

AND NOW, this 2nd day of August, 2016, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Susan Kostalas
1849 Second Avenue
York, PA 17402

/s/Deborah A. Behney
Office of Charles J. DeHart, III
Standing Chapter 13 Trustee